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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,390	11/30/2001	Stephen D. Pacetti	50623.00 62	5559

7590 04/04/2005
Squire, Sanders & Dempsey L.L.P.
One Maritime Plaza, Suite 300
San Francisco, CA 94111

EXAMINER

HO, UYEN T

ART UNIT	PAPER NUMBER
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3731

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Part of Paper No./Mail Date 20050331

DETAILED ACTION

Election/Restrictions

1. After a careful reconsideration of this application, a further restriction is made as follow:

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-8, 20-22, drawn to a method of forming a coating on a stent including the steps of applying a coating formulation including first and second ingredients and modifying the ratio of the ingredients as the coating formulation is being applied to stent, classified in class 427, subclass 1.25.

II. Claims 29-33, drawn to a method of forming a coating on a stent including the steps of applying first and second compositions on the stent and the compositions having different concentrations of a first and second substance, classified in class 427, subclass 1.25.

3. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions each method requires a different steps and results different functions and effects.

Art Unit: 3731

4. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

5. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to (Jackie) Tan-Uyen T. Ho whose telephone number is 571-272-4696. The examiner can normally be reached on MULTIFLEX Mon. to Sat..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ANHTUAN NGUYEN can be reached on 571-272-4963. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



(Jackie) Tan-Uyen T. Ho
Patent Examiner
Art Unit 3731